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STEEL & MINES DEPARTMENT

NOTIFICATION

The 25th October, 2024

Sub: Imposition of penalty on illegal extraction and transportation of minor minerals in consonance with NGT guidelines.

No.9238—SM-MC3-NGT-0009/2023/SM.—Pursuant to the order dated 26th February, 2021 of the Hon'ble National Green Tribunal, Eastern Zone, Kolkata Bench passed in O.A. No.360/2015 and in lieu of the fine and penal provision on seizure of vehicles and other properties for illegal extraction or transportation of minor minerals as stipulated in Rule 51 of OMMC Rules 2016, the following amount shall be recovered as penalties for release of the seized vehicles/equipment/minerals.

A. Penalty to be imposed on vehicle/equipment

Sl. No.	Category of Vehicle	Penalty amount
1	<i>Vehicles/Equipment/Excavators with showroom value more than Rs.25 lacs and less than 5 years old</i>	<i>Rs. 4 lacs</i>
2	<i>Vehicles/Equipment/Excavators with showroom value more than Rs.25 lacs and more than 5 years but less than 10 years old.</i>	<i>Rs. 3 lacs</i>
3	<i>Vehicles/Equipment/Excavators with showroom value more than Rs.25 lacs and more than 10 years old.</i>	<i>Rs. 2 lacs</i>
4	<i>Vehicles/Equipment/Excavators with showroom value between Rs.10 lacs to Rs.25 lacs and less than 5 years old</i>	<i>Rs.2.5 lacs</i>
5	<i>Vehicles/Equipment/Excavators with showroom value between Rs.10 lacs to Rs.25 lacs and more than 5 years but less than 10 years old.</i>	<i>Rs. 2 Lacs</i>

6	<i>Vehicles/Equipment/Excavators with showroom value between Rs.10 lacs to Rs.25 lacs and more than 10 years old.</i>	<i>Rs. 1 Lacs</i>
7	<i>Vehicles/Equipment/Excavators with showroom Value less than 10 lacs and less than 5 years old.</i>	<i>Rs. 2 Lacs</i>
8	<i>Vehicles/Equipment/Excavators with showroom value less than Rs.10 lacs and more than 5 years but less than 10 years old.</i>	<i>Rs. 75,000/-</i>
9	<i>Vehicles/Equipment/Excavators with showroom value less than Rs.10 lacs and and more than 10 years old.</i>	<i>Rs. 50,000/-</i>

B. Provision to realise cost of minerals

- i. The seized minor minerals shall be released after realization of the penalty amount as stipulated.
- ii. The realization cost of the seized minor minerals as mandated under Rule 51(4) and Rule 58(5) of OMMC Rules, 2016, shall be decided taking into account the basic rate of materials stipulated in the latest Schedule of Rate (SOR) published by Works Department which is in force.

C. Realisation of compensation towards environmental and ecological damage for illegal mining.

- i. The compensation towards environmental and ecological damage for illegal extraction and transportation shall be recovered for the seized minor minerals.
- ii. This compensation amount shall be determined @ 3.33 times of value of seized minor mineral.
- iii. As defied earlier, value of the minerals shall be decided as per latest Schedule of Rate (SOR) published by Works Department for all minor minerals including sand.

This Standard Operating Procedure (SOP) shall come into force from the date of its publication in the Gazette.

By Order of the Governor

SURENDRA KUMAR

Additional Chief Secretary to Government